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C O R R E C T E D C O P Y (SECTION DELETED)

CINCSO FOR INTAFF, CINCLANT FOR POLAD

E.O. 12065: GDS 2/8/88 (FRIEDMAN, T.B.) OR-P
TAGS: SHUM, AR
SUBJ: (U) REPORTS OF POLICE BRUTALITY

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

Declassify: ☐ In Part ☒ In Full

☐ Classify as ☐ Extend as ☐ Downgrade to

Date ☐ Declassify on ☐ Reason

1. [REDACTED] SUMMARY. POLICE MISTREATMENT OF DETAINEES
HAS RECENTLY BEEN IN THE NEWS. THE POLICE HAVE BEEN
ACCUSED OF TORTURING A MAN TO GAIN HIS COOPERATION
AGAINST THE ARGENTINE COMMUNIST PARTY; A COURT ORDERED
THE ARREST OF 12 POLICEMEN ALLEGEDLY IMPLICATED IN
BEATING A PRISONER TO DEATH; AND THE SUPREME COURT
OVERTURNED THE CONVICTION OF A COMMON CRIMINAL BECAUSE
HIS CONFESSION WAS OBTAINED THROUGH TORTURE. POLICE
BRUTALITY LONG ANTEDATES THE CURRENT MILITARY GOVERN-
MENT. WHILE SUCH POLICE BEHAVIOR IS NOT UNIQUE TO
ARGENTINA, THE CURRENT PUBLIC AIRING OF THE ISSUE IS
AN EXCEPTION AND MAY POINT TO A LESSENING OF THE
PROBLEM, THOUGH LIKE ITS CIVILIAN AND MILITARY
PREDECESSORS THIS GOVERNMENT CANNOT ERADICATE
ALTOGETHER WHAT IS A CULTURAL RATHER THAN A POLITICAL

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PROBLEM. END SUMMARY.

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2. (U) THE MISTREATMENT BY POLICE OF PRISONERS HAS BEEN PROMINENTLY IN THE NEWS FOR THE PAST SEVERAL WEEKS.

3. (U) ON FEBRUARY 6 ALL OF THE HUMAN RIGHTS ORGANIZATIONS IN ARGENTINA SPONSORED A PRESS CONFERENCE TO DENOUNCE AN ALLEGED CASE OF TORTURE. AT THE CONFERENCE, JORGE OSCAR BULACIOUS STATED THAT ON JANUARY 28 HE HAD BEEN ARRESTED BY MEN CLAIMING TO BE POLICE OFFICIALS. SOON AFTER HE WAS IN THEIR CAR THEY COVERED HIS HEAD WITH A BAG. SUBSEQUENTLY, AT A LOCATION HE COULD NOT IDENTIFY, HE WAS BEATEN AND THEN TORTURED WITH AN ELECTRIC PROD (PICANA). THE OBJECT OF THIS TREATMENT, HE SAID, WAS TO GAIN HIS COOPERATION IN COLLECTING INFORMATION ON THE ARGENTINE COMMUNIST PARTY. BULACIOUS TOLD THE PRESS CONFERENCE HE HAD BEEN A PCA MEMBER. BULACIOUS STATED THAT WHEN HE FINALLY CONVINCED THE MEN HE DID NOT HAVE THE INFORMATION THEY WERE LOOKING FOR THEY ASKED HIM TO COOPERATE WITH THEM IN COLLECTING INFORMATION ON THE PCA, OFFERING HIM MONEY IF HE DID AND PROMISING TO KILL HIM IF HE DID NOT. BULACIOUS SAID HE PROMISED TO COOPERATE AND WAS GIVEN A LIST OF QUESTIONS BY HIS CAPTORS (A COPY WAS SHOWN AT THE PRESS CONFERENCE). BULACIOUS FILED HIS ALLEGATIONS BEFORE A FEDERAL JUDGE, WHO IS NOW INVESTIGATING THE MATTER. THE POLICE REPORTEDLY TOLD A LOCAL NEWSPAPER THAT THEY HAD NO COMMENT TO MAKE ON THE CHARGES SINCE "THE INSTITUTION DOES NOT FEEL ITSELF AFFECTED BY THE SITUATION."

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4. (U) THE CASE OF A PRISONER, WHO WAS ALLEGEDLY BEATEN TO DEATH BY THE POLICE IN THE PROVINCE OF TUCUMAN, CAME TO LIGHT FEBRUARY 8 FOLLOWING THE COURT-ORDERED ARREST OF 12 POLICEMEN ALLEGEDLY IMPLICATED IN HIS DEATH. ACCORDING TO NEWS REPORTS, HUMBERTO MARCOS GORDILLO WAS ARRESTED FOR DRUNKENNESS AND SENTENCED TO 20 DAYS IN JAIL. ON FEBRUARY 1 HE WAS TRANSFERRED TO A HOSPITAL WHERE HE DIED. AN AUTOPSY REPORTED THAT HE DIED OF "TRAUMATIC SHOCK PROVOKED BY BLOWS" WHICH COULD HAVE BEEN CAUSED BY THE POLICE.

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5.. (U) ON JANUARY 22 THE SUPREME COURT ANNOUNCED A DECISION ANNULING THE CONVICTION OF A COMMON CRIMINAL BECAUSE HIS CONFESSION AND THE EVIDENCE DERIVED FROM IT HAD BEEN OBTAINED THROUGH TORTURE. THE COURT ORDERED A NEW TRIAL ACKNOWLEDGING THAT THE DEFENDANT WOULD BE SET FREE SINCE THERE WOULD BE NO CASE AGAINST HIM WITHOUT THE CONTAMINATED CONFESSION AND EVIDENCE. THE COURT REPORTEDLY STATED THAT THE END COULD NEVER BE USED TO JUSTIFY THE MEANS AND THAT THOUGH THE DEFENDANT WAS GUILTY, THE PROCEDURES USED AGAINST HIM VIOLATED BOTH THE LAW AND THE CONSTITUTION.

6. [REDACTED] COMMENT: THE COMMON THREAD IN ALL THREE INSTANCES IS POLICE BRUTALITY. THE USE OF SUCH METHODS BY THE POLICE HERE, AS ELSEWHERE, IS NOT AN INNOVATION OF THE MILITARY LEADERS. IN THE EARLY 1940'S, FOR EXAMPLE, THE GREAT ARGENTINE WRITER JORGE LUIS BORGUES DESCRIBED THE ENTHUSIASM OF THE POLICE ON RECEIVING NEW CATTLE PRODS FROM ENGLAND. MISTREATMENT BECOMES A POLITICAL ISSUE HERE, LIKE MANY OTHER COUNTRIES, WHEN THE VICTIMS ARE THE POLITICALLY ORIENTED MEMBERS OF THE MIDDLE AND UPPER CLASS
[REDACTED]
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RATHER THAN THE USUAL COMMON CRIMINALS FROM THE LOWER STATA OF ARGENTINE SOCIETY.

7. [REDACTED] DESPITE THE FOREGOING, OVER PAST YEARS THERE HAVE BEEN SEVERAL OCCASIONS IN WHICH SECURITY OFFICERS HAVE BEEN CHARGED FOR USING BRUTAL TACTICS AGAINST DETAINEES. IN ALL BUT ONE OF THESE CASES, THE VICTIMS WERE COMMON CRIMINALS, AND THE PREPERTATORS POLICE OFFICIALS. THIS AUTHORITARIAN GOVERNMENT WILL NO MORE BE ABLE TO HALT THE MISTREATMENT OF PRISONERS THAN ITS MANY CIVILIAN AND MILITARY PREDECESSORS. BUT THE GROWING PUBLIC AIRING OF THE ISSUE -- AND THE COURTS' MORE VIGOROUS STANCE -- MAY HELP OINT TOWARDS A LESSENING OF THE PROBLEM. IT IS WORTH NOTING, TOO, THAT THOUGH THE KIND OF BRUTALITY DESCRIBED IN THESE INCIDENTS IS HARDLY UNIQUE TO ARGENTINA, THIS COUNTRY TODAY IS ONE OF THE FEW IN WHICH THE ISSUE IS GIVEN SUCH ATTENTION.
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